

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL REYNOLDS,

Plaintiff

v.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF CORRECTIONS, et al.

Defendants

:
:
:
: No. CV-09-3535
:
: Judge Legrone Davis
:
: (Electronically filed)
:

DECLARATION OF JOHN KERESTES

I, John Kerestes, declare under penalty of perjury in accordance with 28 U.S.C. § 1746 based upon my knowledge or upon information obtained from records routinely maintained during the operation of the Pennsylvania Department of Corrections ("DOC"), whose entries are made at or near the time by, or from information transmitted by, a person with knowledge as a normal part of operating the DOC.

1. I am and was for all relevant times employed by the Department of Corrections as Superintendent at the State Correctional Institution at Mahanoy.
2. In April, 2008, I received Michael Reynolds' appeal from response he received from Records Supervisor Don Young. Mr. Young provided the initial response to Mr. Reynolds' Grievance #223095.

3. After reviewing Reynolds' Grievance #223095, Mr. Young's response to it, and Reynolds appeal, on May 9, 2008, I responded in writing to Reynolds' appeal. A true and correct copy of my May 9, 2008 response to Reynolds' appeal is attached here as Attachment 1.
4. I denied Reynolds' appeal because I was satisfied that Mr. Young was the appropriate person to look into the matter and that Mr. Young had taken the steps necessary to provide the correct information.
5. Matters related to sentence calculations are handled by employees in the SCI-Mahanoy Records Office.
6. As Superintendent, I do not have involvement in responding directly to inmate inquiries concerning sentence calculations.
7. After Mr. Young informed me that Judge Shirdan-Harris had communicated her intent that Reynolds receive duplicate pre-commitment credit, I promptly approved his release.
8. I had no authority to release Reynolds before Mr. Young received Judge Shirdan-Harris direction.

Date: 9-1-10



JOHN KERESTES